HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 5728 of 2005

Petitioner — Chhatram Suryabanshi, Son of late Sri Bhaskar Suryabanshi, aged about 33 years, working as a Lab Assistant (Technical) Sub Divisional Officer, Shyam Quality Control, Sub Division : Libra, Ambikapur, resident of Banki Irrigation Colony, Fundurdihari, Ambikapur, District : Surguja (C.G.) Permanent resident of village : Konar, Post : Konar, District : Janjgir - Champa (C.G.)

Versus

Respondents

1. Union of India through the Secretary, Ministry of State Affairs, New Delhi.
2. State of Chhattisgarh through the Secretary, Water Resources Department, D.K.S. Bhavan, Raipur (C.G.)
3. State of Madhya Pradesh, through the Secretary, Water Resources Department, Vallab Bhavan, Bhopal (M.P.)
4. The Engineer-in-Chief, Water Resources Department, Raipur (C.G.)
5. The Sub Divisional Officer, Shyam Quality Control, Sub Division : Libra, Ambikapur, District : Surguja (C.G.)
6. The Superintending Engineer, Shyam Barnai Project, Circle : Ambikapur, District : Surguja (C.G.)

Single Bench: Hon'ble Mr. Justice **Satish K. Agnihotri.**

Present : Mr. D.K. Vishwakarma, Advocate for the petitioner.
Mr. Ajaya Ku. Barik, Advocate for the respondent No. 1.
Ms. Sunita Jain, Panel Lawyer for the respondents No. 2 and 4 to 6.

ORDER
(Passed on 4th Day of April, 2007)

1. Learned counsel for the petitioner submits that the petitioner and all of his family members resides in State of Chhattisgarh, therefore the order of allocation dated 17.10.2005 (Annexure P-1) passed by the Engineer-in-Chief, Water Resources Department, Raipur is bad.

2. The petitioner was employed as Lab Assistant (Technical) in the Water Resources Department in the erstwhile State of Madhya Pradesh. The Union of India, exercising its power under provisions of Section 68 (2) of the Madhya Pradesh Reorganisation Act, 2000, allocated the services of the petitioner to State of Madhya Pradesh. The petitioner has been relieved vide order dated 29.10.2005 (Annexure P-2).

3. Section 68 of the Madhya Pradesh Reorganisation Act, 2000 provides for allocation of services of State of Madhya Pradesh and Chhattisgarh to be determined by the Central Government, by general or special order.

4. The petitioner challenges the order of allocation on a simple ground that his family members are residing in State of Chhattisgarh. The objection of the petitioner is not sustainable in law as the petitioner initially joined in the erstwhile State of Madhya Pradesh.

5. After having considered all the aspects of the case, the petitioner has been allocated to the State of Madhya Pradesh. There is no other ground

like violation of any guidelines or any other notification, circular or any other provisions of law.

6. Thus, this petition has no merit. Accordingly, it deserves to be and is dismissed. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Subhash